

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : 04-CR-543 (ARR)  
 :  
 v. :  
 : April 11, 2005  
COOKE, et al., : Brooklyn, New York  
 :  
 Defendants. :  
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TRANSCRIPT OF CRIMINAL CAUSE FOR STATUS CONFERENCE  
BEFORE THE HONORABLE STEVEN M. GOLD  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Government: United States Attorney's Office  
BY: JEFFREY RABKIN, ESQ.  
Assistant United States Attorney  
225 Cadman Plaza East  
Brooklyn, New York 11201

For the Defendant: STEVEN ZISU, ESQ.

Court Transcriber: CARLA NUTTER  
TypeWrite Word Processing Service  
356 Eltingville Boulevard  
Staten Island, New York 10312

Proceedings recorded by electronic sound recording,  
transcript produced by transcription service

1 THE CLERK: Criminal Cause for Status Conference,  
2 United States v. Edward Cooke, 04-CR-583.

3 Counsel.

4 MR. RABKIN: Jeff Rabkin appearing on behalf of the  
5 United States standing in for Sean Haran.

6 MR. ZISU: Steve Zisu representing Mr. Cooke.

7 Judge, Mr. Cooke was not produced today. Today was a  
8 scheduled status conference but Judge Ross rescheduled it to  
9 April 26th.

10 We have an agreement but for the fact that I -- as I  
11 think you know, I got a little blow to the head a couple of  
12 weeks ago -- we would have had it done by now. So in fact, I  
13 think we're going to do it this morning but anyway --

14 THE COURT: Well, first of all, how are you feeling?

15 MR. ZISU: I'm feeling much better, Judge, really.

16 [Pause in proceedings.]

17 THE COURT: Now, obviously, the defendant isn't here  
18 and I'm reluctant to exclude time in his absence so the  
19 question is is there ample time in speedy trial clock left for  
20 you to wait until your next appearance before Judge Ross or  
21 would you like to have your client produced tomorrow or later  
22 in the week to waive speedy trial?

23 MR. ZISU: I can only tell you, Judge, I've  
24 represented him from the beginning. There is no time charged.  
25 We've always been --

1 THE COURT: Day one hasn't expired yet?

2 MR. ZISU: Day one has not expired. As far as the  
3 defense is concerned there is no time chargeable and --

4 THE COURT: All right.

5 MR. ZISU: -- I don't believe Mr. Haran would take a  
6 contrary position but I'll be happy to wait for him and if  
7 anyone is uncomfortable with that --

8 THE COURT: Well, why don't you just report that back  
9 to Mr. Haran and if you'd like an earlier conference I'll be on  
10 duty from today through Thursday and I'll be happy to see you  
11 later in the week if there's any need for the Court to address  
12 anything --

13 MR. ZISU: I think that's --

14 THE COURT: -- otherwise, [inaudible] at Judge Ross'  
15 conference and continued good health -- watch it this time will  
16 you?

17 MR. ZISU: I certainly will. Take care.

18 \* \* \* \* \*

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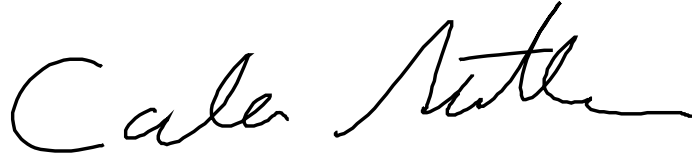
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I certify that the foregoing is a transcript from an electronic sound recording of the proceedings in the above-entitled matter.

A handwritten signature in cursive script, appearing to read "Carla Nutter", written in black ink.

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CARLA NUTTER

Dated: May 22, 2008